
DIGEST

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Leger

HB No. 702

Abstract: Provides for the notice to a child who may face registration as a sex offender and provides for the confidentiality of a child's statement obtained in a competency hearing.

Present law (Ch.C. Art. 305) provides for the jurisdiction of the juvenile court in very serious matters.

Proposed law retains present law and adds that if charged the court shall notify the child of the registration requirements for a sex offender.

Present law (Ch.C. Art. 804(3)) provides for the definition of a delinquent act.

Proposed law retains present law and adds illegal possession of a firearm to the definition which categorizes the action as a delinquency case rather than a FINS case.

Present law (Ch.C. Art. 841) provides that an informal adjustment agreement may not be used against the child over objection. Also provides that an incriminating statement may not be used against the child over objection in an adjudication hearing or criminal trial.

Proposed law retains present law and adds that any medical examination may not occur until the clerk of court gives five-days notice to all parties and any incriminating statement made by the child shall not be used against him in a later proceeding.

Present law (Ch.C. Art. 855(B)(7)) requires the court to determine if a child is capable of understanding statements about his rights and advise him of certain items.

Proposed law retains present law and adds that when the child is charged with certain serious offenses, the court shall notify the child regarding applicable sex offender registration requirements.

Present law (Ch.C. Art. 858) provides for notice to the child of the motion to transfer.

Proposed law retains present law and adds that the court, for certain serious crimes, shall also notify the child of the applicable sex offender registration requirements.

Present law (Ch.C. Art. 860) provides for the examination of the child and that, unless the child waives his privilege against self-incrimination, the testimony about the medical report or its

contents may not be used against the child.

Proposed law retains present law but adds that an examination shall not occur until five days after notice to all parties. The report shall not contain any incriminating statement made by the child and it shall not be used against the child.

Present law (Ch.C. Art. 867) provides for certain types of medical examinations of the child.

Proposed law retains present law but adds that an examination shall not occur until five days after notice to all parties. The report shall not contain any incriminating statement made by the child and it shall not be used against the child.

Present law (Ch.C. Art. 869.3) provides for the report of the sanity commission.

Proposed law retains present law and adds that the report shall not include a child's incriminating statement and any such statement made to an evaluator shall not be used against the child.

Proposed law (Ch.C. Art. 884.1) provides that the court shall provide the child with written requirements for registration as a sex offender and provides a form.

(Amends Ch.C. Arts. 305(A)(1)(b) and (B)(1)(b), 804(3), 841(A) and (C), 855(B)(7), 858(B), 860(A), (B), and (D), and 867(A) and (C); Adds Ch.C. Arts. 841(D), 867(E), 869.3(E), and 884.1)